

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Torus Ventures LLC,

Plaintiff,

v.

American Financial & Automotive Services,
Inc.,

Defendant.

Civil Action No. 2:24-cv-00517

Patent Case

Jury Trial Demanded

**JOINT MOTION FOR TRANSFER OF VENUE AND FOR EXTENSION OF TIME TO
RESPOND TO THE COMPLAINT**

Pursuant to 28 U.S.C. § 1400(b), Defendant American Financial & Automotive Services, Inc. (“AFAS”) and Plaintiff Torus Ventures LLC (“Torus”) jointly move to transfer this action from the Eastern District of Texas Marshall Division to the Southern District of Texas Houston Division and for an extension of time for AFAS to respond to the Complaint by 30-days.

AFAS notified Torus of its intention to file a motion to dismiss under Rule 12(b)(3) for improper venue under 28 U.S.C. § 1400(b). The parties subsequently conferred and agreed that this case should be transferred to the Southern District of Texas Houston Division. AFAS is a Texas corporation and maintains its principal place of business at 1790 Hughes Landing Boulevard, Suite 700, The Woodlands, TX 77390, located in the Southern District of Texas. AFAS does not have a location in the Eastern District of Texas. The parties do not dispute that venue in the Southern District of Texas is proper.

Further, to allow AFAS to respond to the Complaint in the appropriate forum, the parties have jointly agreed to an extension of time to respond to the Complaint by 30-days. The current deadline to respond is October 4, 2024. With a 30-day extension, the deadline to respond would

be November 4, 2024. This would be the second motion for an extension of time in this action. This request is not sought for the purposes of delay and will not impact any other deadlines. Torus does not oppose this extension.

Therefore, AFAS respectfully requests that the Court order this case be transferred to the Southern District of Texas Houston Division and that AFAS's deadline to respond to Torus's Complaint be extended to November 4, 2024.

Dated: October 4, 2024

Respectfully submitted,

By: /s/ Keith Broyles
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CERTIFICATE OF CONFERENCE

I hereby certify that counsel for American Financial & Automotive Services, Inc. conferred with counsel for Plaintiff. Plaintiff has agreed to AFAS's request sought in this motion.

/s/ Keith Broyles

Keith Broyles

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on October 4, 2024.

/s/ Keith Broyles

Keith Broyles